

REMARKS

Responsive to the outstanding Office Action, applicant has carefully studied the Examiner's rejections and the comments relative thereto. Favorable reconsideration of the application is respectfully requested in light of the amendments and following detailed arguments.

In the amendment, claim 18 was amended, and claims 28 and 36 were canceled. It is submitted that no new matter has been entered into the claims through these amendments.

REJECTIONS UNDER 35 USC §112, first paragraph

The Examiner rejected claims 18-25 and 28-37 under 35 USC 112 first paragraph. The Examiner indicated that there was no basis for the amendments "parts by weight" entered in the previous amendment.

In response thereto, the phrase "by weight" has been removed from the claims. It is thus believed that this rejection has been overcome.

With regard to this change, it is respectfully submitted that it is clear that this is "by weight" even without the language. One skilled in the art would look to feature "d" of claim 18, (and to page 10 of the specification, lines 1-5) and note that this clearly indicates that all of the components of polyamide mixture A) together produce 100% by weight. Similarly, page 10, lines 23-26 show that the molding materials contains 40 to 235 parts relative to 100% of the mixture of component A) to component B). Applicants assert that these statements from the specification clearly show that parts by weight is inferred, even with the specific language removed.

In view of the above it is respectfully submitted that the Examiner's rejections have been addressed and that these claims are allowable over the provisions of USC 112, first paragraph. Reconsideration and withdrawal of the rejections thereagainst are respectfully requested.

REJECTIONS UNDER 35 USC §112, second paragraph

The Examiner rejected claim 28 under 35 USC 112 second paragraph. The Examiner indicated that this claim depended from a canceled claim.

In response thereto, claim 28 has been canceled herein, thereby rendering the rejection thereagainst moot.

Reconsideration and withdrawal of the rejections thereagainst are respectfully requested.

REJECTIONS UNDER 35 USC §103

The Examiner again states that it would have been obvious for the person skilled in the art to combine US '266 (Weber) with the two Schmid documents (EP '648 and '115) thus arriving at the claimed subject matter of the present application. The Examiner argues that component C of the US '266 would correspond to the component A)b)1 of the present independent claim, whereas component B of US '266 would correspond to component A)b)2. Further, he states that compound A also would encompass amorphous polyamides as claimed by feature A)c) of claim 18.

Claim 18 has been amended herein. Claim 18 contains the subject matter of previously pending claim 28, greatly narrowing the polyamide possibilities described in A)c). Further, paragraph A)b)1) has been amended to exclude copolymers of styrene and unsaturated nitrile.

Table 3 of the application shows specific properties of compounds according to the present invention, as specified in A)c). these polyamides were indicated as being especially favorable in the specification, and were presented in examples B4 and B5. The properties of compounds using these copolymers were especially beneficial as shown in Table 3. It is thus asserted that these surprising properties were not anticipated, and are only known through the present disclosure.

As argued before, none of the polyamides identified in claim 18 (previously pending claim 27) are expressly identified in the Weber reference. First of all, sections Aa) and Ac) of the claims are worded differently, to support the fact that these 2 sections are referring to differing components, not identical. Secondly, it is respectfully

submitted that the Examiner is incorrect in stating that partly crystalline polyamides (compounds A, Weber) would also encompass the compounds Ac) of present invention. It is admittedly correct that partly crystalline polyamides comprise a further part which is not crystalline, i.e. amorphous. However, claimed feature Ac) clearly states "amorphous polyamides" and not "partly amorphous polyamides", i.e. polyamides which are completely amorphous and do not have any crystallinity at all. Furthermore, the person skilled in the art is very well able to distinguish between partly crystalline/semicrystalline polyamides and amorphous polyamides which are well established terms in the polyamide chemistry.

During cooling from melt, partly crystalline polyamides establish crystalline domains (phase transition of 1st order). In general the complete melt does not solidify into a crystalline state, but also amorphous domains are formed. The ratio between the crystalline and amorphous domains is determined by the chemical nature of the polyamide and the conditions of cooling.

In contrast thereto, amorphous polyamides solidify in a hyaline or glassy state from the melt. Therefore, in the solid state there is no long range order of the repeating units at all. The transition between the solid and the liquid state is described via the glass transition temperature  $T_g$  and therefore is a phase transition of 2nd order. In general, amorphous polyamides comprise monomeric units which preclude a crystalline alignment of the polymeric chains.

Support for the definition of "amorphous" is provided from a copy of a definition of this term according to "Encyclopedic Dictionary of Polymers", wherein it is clearly stated that amorphous polymers lack crystallinity.

The Weber reference discloses also blends of polyamides to be used for compound A) yet which the proviso that all members of the blends are partly crystalline. A blend of a semicrystalline and an amorphous polyamide is therefore not encompassed by the teaching of Weber.

Thus, the complete teaching of Weber does not disclose amorphous polyamides, therefore the criterion Ac) of present invention is not met. This feature is not shown in any of the applied secondary references. Therefore, an essential claimed feature of

present invention is not met by the combination of documents cited by the Examiner, as none of the applied references disclose this feature.

It is therefore believed that independent claim 18 distinguishes over the applied art of record.

#### SUMMARY

In view of the forgoing, independent claim 18 is believed to be allowable over the applied art of record, and action towards that end is respectfully requested. Claims 19-25 and 29-45 and 37, which depend directly or indirectly from independent claim 18 are believed to be allowable based, at least, upon this dependence.

Should the Examiner wish to modify the application in any way, applicant's attorney suggests a telephone interview in order to expedite the prosecution of the application.

Respectfully submitted,

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